IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.518 OF 2005
IN
APPEAL (L) NO. 864 OF 2004
IN
SUMMONS FOR JUDGMENT NO 312 OF 2003
IN
SUMMARY SUIT NO. 3019 OF 2002

V.B.Patel Auto (Gujrat) Ltd. & Ors. .. Applicants

V/s

Tata Engineering & Locomotive
Co. Ltd. & Anr. .. Respondents

Shri.N.Thakkar i/b. Mulla & Mulla Co. for the Respondents.

CORAM : DR.S.RADHAKRISHNAN &

S.J.VAZIFDAR, JJ.

DATE : 10TH MARCH, 2006.

P.C.:

1. None appears for the Applicant. The learned Counsel for the Respondents points out that in the above summary suit, decree has already been passed on 27th June, 2005. In view thereof nothing survives in the present Notice of Motion. Hence, Notice of Motion for condonation of delay stands dismissed. In view of the disposal of the Notice of Motion and the decree being passed, above appeal also stands dismissed.

(DR.S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)